

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
LUFKIN DIVISION**

**ANNA MARIE RHOADS**

**V.**

**JO ANNE B. BARNHART,  
COMMISSIONER OF SOCIAL  
SECURITY ADMINISTRATION**

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**NO. 9:99-cv-25**

**ORDER**

Anna Marie Rhoads originally appealed a final decision of the Commissioner of Social Security Administration, *denying* an application for disability insurance benefits. The court remanded the case to the Commissioner for further administrative proceedings to consider additional evidence. More than three years later, plaintiff petitioned the court, asserting that upon remand, her application for benefits was *approved*, but that she had never been properly *paid*.

The court referred this matter to the Honorable Earl S. Hines, United States magistrate judge at Beaumont, Texas, for proper consideration pursuant to applicable laws and orders of this court. The magistrate judge recommends remanding the case to the Commissioner to recalculate plaintiff's monthly and retroactive benefits, to consider certain arguments advanced by plaintiff, and to issue a new final decision sufficient for judicial review.

No objections to the magistrate judge's findings, conclusions and recommendations were filed by the parties. Accordingly, the report of the magistrate judge (Docket No. 64) is **ADOPTED**.

By separate order, the court will remand this matter to the Commissioner for further proceedings.

So **ORDERED** and **SIGNED** this **3** day of **March, 2006**.

A handwritten signature in black ink, appearing to read "Ron Clark", written in a cursive style.

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Ron Clark, United States District Judge